

February 4, 1950

Spencer Thompson, Director
Veteran's Institutional and
On-the-Job Training
1503 W. Jefferson
Phoenix, Arizona

LAW LIBRARY ARIZONA ATTORNEY GENERAL

Dear Spencer:

We have your letter requesting our opinion as to whether the Director of the Veteran's Institutional and On-the-Job Training program has the right to inspect the records of any establishment which is training veterans in order to determine whether proper wages are being paid or any other factor forming a basis for the approval of the employer.

It appears to us that the Veterans' Service Officer was created by an act of the legislature, which appears in the Laws of 1945 as Section 15-101, Supplement to the Arizona Code Annotated, 1939. This Act merely appoints a Veterans' Service Officer, who shall serve at the pleasure of the Governor and fixes his salary. In the Third Special Session of the 17th Legislature, Chapter 11, Aid and Appropriations, created a revolving fund for paying expenses for "On-the-Job" training of veterans under the provisions of the Servicemen's Readjustment Act of 1944. It therefore appears that under the Arizona law there is no authority provided for the Veterans' Service Officer and no particular duties are provided for with reference to "On-the-Job" training. This was simply considered by the legislature and a revolving fund created although no specific duties or authorities were provided for at the time the appropriation was made.

It is therefore our opinion that while it may be the duty of the Service Officer to make proper inquiry concerning employers, there is no specific authority granted the Service Officer whereby he can compel an employer to furnish records for his section. It would seem that the proper method of procedure would be to make a request for such information with a possible threat to withdraw or withhold approval on claims filed by the employer.

Trusting this answers your inquiry, we are.

Very truly yours,

FRED O. WILSON, Attorney General

PERRY M. LING
Chief Assistant Attorney General